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Committee on the Exercise of the Inalienable Rights of the Palestinian People

Special meeting to mark sixty years of dispossession of Palestine refugees

Summary record of the second part of the 309th meeting
Held at Headquarters, New York, on Friday, 20 June 2008, at 3 p.m.

Chairman: Mr. Badji ..... (Senegal)

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The meeting reconvened at 3.15 p.m.

Statements by experts

76. *At the invitation of the Chairman, Ms. Atshan (Birzeit University) took a place at the Committee table.*

77. **Ms. Atshan** (Birzeit University) gave a brief account of her personal experience as a refugee, which informed her work as a psychologist and field consultant with refugees in the Occupied Palestinian Territory and in Denmark. She said that in a sense, all Palestinians, whether they lived in villages, cities or camps, faced a reality of confinement and could therefore be considered refugees: their freedom of movement was regulated by the Israeli authorities so long as they chose to remain at home, forcing them to opt for exile if they wished to circulate freely.

78. Through interviews with refugees, she had gleaned a number of insights into the daily reality of camp life. The fact that the number of camp residents had multiplied since 1948 while the physical area of the camps had remained the same had resulted in serious spatial restrictions, children had no real place to play, and privacy was virtually non-existent.

79. Another issue of concern was the fact that Palestine refugees, when aggressively targeted by the Israeli authorities, as had been the case during the recent intifada, were often forced to take on the responsibility of resistance, learning from a very young age to identify Israelis as the enemy. In that context, the reactive and often misdirected violence on the part of refugees during lulls in conflict, while problematic, was entirely understandable, coming from people who, as children, had had to assume such inordinate responsibility for defending their rights.

80. Refugee women had played a crucial role in keeping families together, showing great resourcefulness and resilience in finding employment in order to assist with economic responsibilities, while also absorbing the psychological stress caused by displacement, unemployment or the death of male family members. The undue burden placed on women in those circumstances was compounded by the pressures of being subject to both family demands and those imposed by the occupation authorities, all of which had detrimental effects on women's mental health and overall quality of life.

81. It was important to assess the impact that dependency on United Nations assistance, however necessary such assistance had invariably been, had had on the ambitions and outlook for the future of three generations of refugees who had grown accustomed to living in survival mode, at the expense of normal human development. After 60 years of occupation, the situation only seemed to be getting worse, even as efforts to assist refugees had intensified. A qualitative shift in approach was needed, from the current, relief-oriented paradigm, to one that favoured empowerment and the promotion of rights, in order to allow refugees to assume an active role in rebuilding their lives.

82. The international community should take the opportunity afforded by the sixtieth anniversary commemoration of the Palestinian Nakba to reflect upon the orientation of its refugee advocacy, bearing in mind its responsibility for the quality of human life, among such equally important considerations as the right of return, land and compensation.

83. *Ms. Atshan (Birzeit University) withdrew.*

84. *At the invitation of the Chairman, Ms. Akram (School of Law, Boston University) took a place at the Committee table.*

85. **Ms. Akram** (School of Law, Boston University), delivering a PowerPoint™ presentation, said that the State of Israel had, since its inception, put in place a legal mechanism for the confiscation and expropriation of Palestinian lands and property, a process which was continuing. When the United Nations partition plan had allocated 56 per cent of historic Palestine to a Jewish State, Jews had represented less than one third of the population and owned 6 per cent of the land. Following the 1948 war and subsequent expulsion or forced displacement of some 800,000 indigenous Palestinians, four main categories of law had actualized their dispossession.

86. At first, emergency regulations had been used to expel Arabs from their property and surrounding areas on the pretext of security. Once areas had been secured, the Israeli Government would declare the property abandoned or uncultivated, thereby permitting the State to permanently confiscate it, as in the cases of Iqrit and Kafr Bir'im. Kafr Bir'im was a Palestinian Christian village that had been established over 400 years earlier, and its inhabitants held property deeds that dated back to the Ottoman period. While their pre-1948 property ownership was not contested, their dispossession had

begun following the 1948 cessation of hostilities, when the Israeli Defense Forces had ordered them to assemble in the community church and surrender their weapons. The villagers, who had not resisted, had later been forced to cross the border into Lebanon or relocate to the nearby village of Al-Jish. After several failed attempts by the villagers to obtain permission to use agricultural and church land, the Government had leased village land to Jewish agricultural companies.

87. Under emergency regulations, the military Government had legalized the expulsion of the inhabitants of Kafr Bir'im from their homes in 1948. In 1951, well after armed conflict between Israel and the Arab States had ended, the Israeli authorities had destroyed those homes and property and confiscated village land, finally turning it over to Jewish settlements in 1953. Thus, the villagers and their descendants, a community with a distinct identity and cultural heritage as Palestinian Christians, had lost 12,000 dunums (1 dunum = 1,000 square metres) of land, along with their homes, agricultural and grazing land and primary means of livelihood.

88. In 1951, the villagers of Kafr Bir'im and Iqrit had filed a joint petition before the Israeli Supreme Court against all the ministries involved in the decision to expel them from and expropriate their land. Surprisingly, the Court had ordered the Government to allow the villagers to return, because no evacuation orders had been issued; however, it had refused to do so, and after the villagers had filed a second petition, issued a retroactive evacuation order in order to prevent their return.

89. In 1953, the Government had ordered the village to be confiscated under the Land Acquisition Act, claiming that the villagers had abandoned their land. When military rule had ended in 1966, the villagers had not been permitted to return and were continuing to petition several Israeli public officials for permission to do so, to no avail. The only structure left standing in the village was the church, and villagers who attempted to maintain their ties to the village by worshipping there on religious holidays passed a sign that claimed that the site was a Jewish village, which negated their history and identity.

90. Absentee property laws comprised the second main category of legislation intended to consolidate expropriation. Under that set of laws, some 5 million dunums of land had been confiscated from Palestinians and transferred to the Development Authority. The Absentee Property Act of 1950 stipulated that any person leaving his or her residence for any length of time after 29 November 1947 for any area, which meant all surrounding Arab States, would be deemed to be an absentee, at which point his or her property would be subject to confiscation by the Custodian of Absentee Property. Even Palestinians within Israel who had remained on their land could be identified as enemies, deemed "present absentees" and have their property confiscated. Furthermore, no restitution was permitted under Israeli law once the Custodian had transferred property ownership. The collective ownership schemes that had applied to most Palestinian property had made it difficult to file individual land claims.

91. The third category of legislation, namely, settlement of title operations, had allowed Israel to take possession of 15 million dunums of privately and communally held Palestinian land, taking advantage of the fact that most Palestinian Arabs had not registered individual land titles. Israel had changed land laws retroactively in order to render earlier types of land ownership invalid under Israeli law, as in the case of the Bedouin of Arab As-Subieh, whose dispossession had also been facilitated by the Absentee Property Act and the Land (Acquisition for Public Purposes) Ordinance of 1943.

92. The fourth category of legislation, which included a set of ordinances for public purposes, had addressed the fact that most private property in Palestine before 1948 had been owned by Palestinians. Those ordinances had made it possible for the Government to legally confiscate a further 1.8 million dunums of private Palestinian land simply by providing certification that the land in question could or should be used for public purposes.

93. The cumulative effect of the series of property laws had been to reverse the percentages of land held by each group; whereas before 1948, 94 per cent of land in Palestine had been Arab-owned and 6 per cent had belonged to Jews, roughly the opposite was currently true. The legislation had also consolidated Israeli control of land gains made in the 1948 war. Dispossession was continuing, with some 400,000 Palestinians having been expelled or displaced by the 1967 war and about 20,000 having suffered that fate in every subsequent year. In addition, the land and property of refugees living in the Occupied Territory

were being confiscated under another set of military orders that operated in the West Bank under civil administration, a phenomenon that also dated back to 1967. Meanwhile, the so-called "quiet transfer" of the remaining population was being carried out through revocation of residency permits, denial of family reunification requests, home demolitions, deportations and, most recently, the construction of the separation wall.

94. Military orders in the Occupied Territory permitted the confiscation of land designated as belonging to so-called "security zones" or as useful for "military purposes". Under those orders, 50,000 dunums of land had been confiscated for the construction of Jewish settlements, and no compensation had been granted to those from whom the land was taken. Furthermore, since 1967 another set of military orders on abandoned property had led to the confiscation of land in the West Bank and East Jerusalem that had been owned by Palestinians who had fled as a result of the 1967 war. Over one third of unregistered land had been claimed by Israel as State domain land, and a further 13 per cent of West Bank would soon be designated as such, pursuant to the relevant military orders. Lastly, orders on public use operated in a similar manner, allowing the State to confiscate Palestinian land in order to build Jewish-only bypass roads.

95. The Israeli Government had offered significant financial incentives to settlers who had been forced to relocate from Gaza to populate the Negev and the Galilee in order to break up densely-populated Arab areas. The continuing construction of the separation wall constituted another means of displacement and dispossession, having made permanent land confiscation in West Bank areas where the wall was being built; caused the destruction of homes and property, along with confiscation of the West Bank aquifer, the Territory's main water source; and restricted Palestinian access to work, schools and hospitals. Moreover, an additional 8 per cent of land in the Occupied Territory would be expropriated for construction of the wall by Israel, which already held 66 per cent of all occupied land.

96. General Assembly resolution 194 (III) recognized Palestine refugees' and internally displaced persons' right of return and their right to receive restitution of property and compensation, and should be utilized in the effort to bring about a durable solution to the refugee question. The fact that 70 per cent of the Palestinian land confiscated by Israel remained unsettled indicated that restitution was possible; however, no mechanisms existed that might permit implementation of a durable solution. As had been demonstrated in the cases of Iqrit and Kafr Bir'im, and in hundreds of others, recourse to Israeli courts in order to settle land cases was futile. Furthermore, Israel had not ratified any international complaint mechanism that might provide a remedy.

97. The petition submitted by the villagers of Iqrit and Kafr Bir'im requested the United Nations Human Rights Council to adopt a resolution condemning the expropriation of Palestinian Arab land and other property in Israel by the State of Israel; to find that those actions constitute a consistent pattern of gross and reliably attested violations of human rights and fundamental freedoms that must be halted immediately; and to rule that housing and property restitution should be provided to the victims as an appropriate remedy under international law. Unfortunately, United Nations protection mechanisms remained unresponsive to the villagers' pleas.

98. *Ms. Akram (Professor, Faculty of Law, Boston University) withdrew.*

99. *At the invitation of the Chairman, Mr. Fischbach (Randolph-Macon College) took a place at the Committee table.*

100. **Mr. Fischbach** (Randolph-Macon College) said that the 1948 Arab-Israeli war for control of Palestine had resulted in a victory for the new State of Israel and the shattering of Palestinian Arab society. During their flight or expulsion by Jewish forces, some 750,000 refugees had left behind vast amounts of land and other property, including businesses, bank accounts, houses of worship, cemeteries, shrines, farm and business equipment and personal belongings, all of which had subsequently been confiscated by the Israeli Government, which had stated that it would compensate them for certain categories of lost property while categorically refusing any large-scale repatriation. Because of the connection between property claims and the right of return, Palestine refugees had refused to accept either compensation or permanent exile, and no wide-scale property compensation or restitution had been undertaken in the six decades of the continuing conflict.

101. Given the agricultural nature of the Palestinian Arab society and economy, most refugees' capital had been tied up in their homes, fields, farm animals and tools, and the economically catastrophic loss of that capital had rendered them unable to establish a new existence in exile. The expropriation of the vast amount of property left behind, pursuant to the provisional Israeli cabinet's decision to prevent the return of refugees, had resulted in a massive windfall for Israel and had ultimately given rise to the entire refugee property dilemma.

102. The provisional Israeli cabinet had moved to provide a legal framework for control of the expropriated property by freezing refugee bank accounts and enacting laws to extend Government authority over other types of property. Under the Emergency Regulations (Absentees' Property) Law of 1948, which shifted the definition of that property from the property itself to the owner, the State could confiscate the property of any person who met the sweeping criteria for the newly created "absentee" legal status. Legal title to the refugees' land was henceforth vested in the Custodian of Absentee Property, an office also created by that Law. Furthermore, a later absentee property law passed in 1950 gave the Custodian the right to sell absentee property to a "development authority", a public body that was to be created later that year and that would purchase a large amount of land from the custodian in 1953.

103. The Jewish National Fund also purchased a large amount of refugee land; from the mid-1950s, the Israeli Government had considered that refugee land had passed permanently into the hands of the State and its agencies. By 1954, one third of Israel's Jewish population, including new Jewish immigrants who had arrived in and after 1948, had settled on confiscated refugee property. The Government also confiscated and sold movable property left behind by refugees.

104. Estimates of the amount and value of abandoned Palestine refugee property varied widely. Israeli estimates ranged between 2 and 3.2 million dunums of land, worth between 262 and 564 million 1948 United States dollars, while economist Yusif Sayigh estimated in 1966 that the refugees had lost 6.6 million dunums of land, worth 1.625 billion 1948 United States dollars. Sami Hadawi and Atef Kubursi estimated in 1988 that total losses had been in the order of 19 million dunums of land, worth 2.1 billion 1948 United States dollars. Lastly, the United Nations Conciliation Commission for Palestine (UNCCP) made a general estimate in 1951 that Palestine refugees had lost 19 million dunums of land, worth 404 million 1948 United States dollars, a figure which was revised in the light of an exhaustive study carried out between 1957 and 1964, yielding a new estimate of 6 million dunums of land worth 825 million 1948 United States dollars. With regard to personal and movable property losses, in 1951 UNCCP estimated the value of such property at some 80.6 million 1948 United States dollars, and a decade later it had developed a figure that was never released of between 77 and 169 million United States dollars.

105. The first United Nations efforts to deal with the question of refugee property came with the appointment by the General Assembly of Folke Bernadotte of Sweden as Mediator for Palestine; his progress report to the General Assembly noted instances of wanton looting, plundering and destruction of villages, emphasizing "the liability of the provisional Government of Israel to restore private property to its Arab owners and to indemnify those owners" for property destroyed. In addition, General Assembly resolution 194 (III), paragraph 11, had elevated refugee repatriation and property compensation from a matter for the belligerent parties to work out to a formal call from the international community. While paragraph 11 was silent as to whether Israel must restitute confiscated property to returning refugees, the text did link repatriation and compensation, insofar as refugees should either be allowed to go home, or be compensated for their abandoned property if they chose not to do so.

106. The three-member UNCCP, composed of France, Turkey and the United States of America, which had been created pursuant to resolution 194 (III), was charged with taking over the role of the Mediator and facilitating refugee repatriation, economic and social rehabilitation and compensation. From 1951 onwards, UNCCP had concentrated almost exclusively on the last, carrying out two studies on the volume and value of refugee property, one of which was a massive technical programme detailing ownership of more than 458,000 individual parcels of land which were owned by Arabs in 1948, and brokering arrangements whereby Israel returned frozen bank accounts and other property to their refugee owners.

107. Notwithstanding the subsequent demise of UNCCP and lack of progress on the refugee property issue, the General Assembly had continued to issue resolutions affirming refugee property rights and calling on behalf of the rightful owners for the establishment of a fund for the receipt of income derived from Arab property, assets and property rights in Israel. More recently, General Assembly resolution 62/105, adopted just weeks after the Annapolis summit, had echoed that call, urging Israeli and Palestinian peacemakers to exert efforts to deal with the property issues. Lastly, the Committee, in conjunction with the Palestine Liberation Organization (PLO), had created a computerized database of Palestinian refugee property, based on UNCCP records archived in the United Nations Secretariat.

108. The Oslo Accord signed by Israel and the PLO in 1993 had set the stage for the first significant diplomatic discussions about refugee property to have taken place in decades, at the Camp David II and Taba peace conferences, both of which had ultimately failed to reach a peaceful settlement to the conflict. Whereas PLO negotiators had called for property restitution and compensation, both for returning refugees and for those who chose not to return, Israel had continued to reject restitution, proposing instead the creation of an international forum to deal with property compensation claims. The breakdown of the peace process in 2001 had kept the refugee property question in continued abeyance, and 60 years after the Nakba, there had been no wide-scale property compensation and/or restitution. Indeed, failure to take the refugee problem, including the question of property loss, fully into consideration would be detrimental to prospects for a lasting solution to the Arab-Israeli conflict.

109. *Mr. Fischbach (Randolph-Macon College) withdrew.*

110. **The Chairman** said that Mr. Fischbach's extensive research on Palestine refugees' legal rights to restitution and compensation were of particular interest and relevance to the Committee, as well as to other United Nations organs seized with the Palestine question.

111. *At the invitation of the Chairman, Ms. Hijab (Institute for Palestine Studies) took a place at the Committee table.*

112. **Ms. Hijab** (Institute for Palestine Studies) said that in terms of the rights of Palestinian refugees, the previous 60 years had been long on resolutions and short on resolve, mainly because it had been practically impossible to force either Israel or the United States of America to do anything they did not wish to do. Ironically, Palestinian refugees and exiles were currently in a stronger position than they had been in 1993, when the Oslo Accords had set in motion an interminable, fruitless, so-called peace process, precisely because Israel had continued to deny any realization of Palestinian rights.

113. With regard to the role of States in dealing with refugee rights, Israel had consistently refused to acknowledge any moral or legal responsibility for the creation of the refugee problem, and had been willing to accept only token family reunification. At the Camp David talks in 2000, former Israeli Prime Minister Ehud Barak had reiterated that position. One of the ways in which Israel had stymied the issue of Palestine refugee restitution and compensation was by tying that question to that of Jewish refugees from Arab States, a link that was emphasized annually in United States Congress resolutions on the matter.

114. It was widely known that Israel refused to allow Palestine refugees to return, fearing that its nature as a Jewish State would be undermined, hence its increasingly forceful, specific demands for international and Palestinian recognition of it as such. That assertion reaffirmed not only the negation of the right of return of Palestinians to Palestine, but also the second-class status of Palestinian citizens of Israel, who were the target of discriminatory State laws.

115. Although even the most moderate Israeli leftists rejected the right of return, a small number of them were willing to acknowledge Israel's role in creating the refugee problem. Ms. Akram had highlighted the extent of Israeli dispossession of Palestinians through such measures as denial of family reunification in the Occupied Territory, where there were some 120,000 pending applications. It was estimated that some 300,000 Palestinians had left the Occupied Territory in the 1990s, including large numbers of Christians. Moreover, the family reunification issue also affected Palestinian citizens of Israel, who were prevented from living with spouses who came from the Occupied Territory. Despite calls from the Israeli Attorney General to rescind that racist restriction, there had in fact been efforts in the Knesset to extend it to Palestinian spouses from other countries.

116. Turning to the role of the United States of America, it had consistently insisted on being the chief arbiter in the Arab-Israeli conflict and on marginalizing the United Nations and potential European actors. Unwilling and/or unable to adopt an approach that would bring a measure of justice as defined by international law, the United States had promoted resettlement of refugees in host countries, ruling out anything beyond token repatriation and indefinitely deferring discussion of compensation. In addition, since 1949 the United States of America had striven to promote economic development rather than political rights, and was currently encouraging investment in the Occupied Palestinian Territory, even as settlements continued to expand and Palestinian movement was severely curtailed by checkpoints, roadblocks and the wall.

117. With regard to civil society, its increasingly important role in advocating for refugee rights had the potential to change a power dynamic heavily weighted in favour of Israel and the United States that had previously proven impossible to challenge. The main aim of one group of civil society actors, which included prominent figures who had been in or close to the Government, was to solve the Palestinian-Israeli question through a peace deal. Their efforts generally consisted of draft agreements that addressed implementation of the right of return and compensation in a limited manner and by parties other than Israel. The best known example was the non-binding Geneva Accord. Drafted by Yossi Beilin and Yasser Abed Rabbo, the agreement would entail Palestinian recognition of Israel as a Jewish State; payment of compensation to refugees and host countries; and five distinct repatriation options for refugees to choose from, namely, the State of Palestine, areas to be transferred in a land swap, third countries, Israel or the current host countries. Third countries and Israel would use "sovereign discretion" to determine how many refugees they would accept.

118. The most promising work was being done by civil society actors who were advocating for Palestinian rights, including the right of return, and who had become particularly active since the formal declaration of the two-State solution in 1988. Their activism had contributed to a change in the discourse on the issue: a conference on the right of return, held in Boston, United States, in the year 2000, had provided access to important information, including Salman Abu Sitta's calculation that there was sufficient space in Israel to resettle refugees who wanted to return. The conference had also led to the establishment of Al-Awda, the Palestine Right to Return Coalition, and the online publication, Electronic Intifada. In addition, such groups as BADIL, the refugee resource centre, and the CIVITAS project provided access to information and promoted networking and mobilization among Palestine refugee and exile communities worldwide. Moreover, as a direct consequence of their increased awareness and mobilization, a uniform voice was emerging from those communities, calling for direct representation and affirming the legitimacy of their claims, which any eventual peace settlement would have to take into account.

119. Interestingly, Palestinian citizens of Israel were beginning to advocate more forcefully in favour of the right of return, and the movement within Israel for the rights of internally displaced persons was also gaining momentum. Internationally, Palestinians had learned to turn the weaknesses of dispersion and dispossession into strengths, as younger generations of Palestinians who had grown up in exile were able to communicate with Western and other societies on their own terms, and had devised new and creative ways of conveying the story of their people through music, art, hip hop, film and theatre. As a result, global discourse was shifting, as was apparent in the substantial coverage devoted to the commemoration of the Palestinian Nakba in United States media, for the first time ever, alongside the celebration of the sixtieth anniversary of the creation of the State of Israel.

120. International advocates of Palestinian rights, some of whom were Jewish, were involved in various financial divestment and cultural, academic and trade boycott efforts aimed at ending the occupation and holding accountable companies complicit therein. While that movement was gaining ground slowly, it provided a valuable opportunity to educate various constituencies on the Palestine issue.

121. Civil society efforts to find alternative forms of power were helpful and necessary in order to change the existing power dynamic. Furthermore, Israel's actions were causing many to wonder whether Zionist policy could coexist with democracy. People were beginning to understand that Palestinian citizens of Israel were often subject to abuses akin to those endured by Palestinians under occupation, and also, in fact, similar to the original injustice inflicted upon

Palestinians in 1948. Consequently, making that connection was leading many to the realization that all such acts committed by Israel should be decried as unjust, as had been done by former United States President Jimmy Carter, who had popularized use of the term "apartheid" to refer to Israeli practices.

122. Israel, bound to the imperative of Zionism, namely, the creation in a land "without a people" of a land for the Jewish people, had continued to pursue the colonization project, making a two-State solution well-nigh impossible. Since Yasser Arafat, the only statesman of sufficient stature to persuade the Palestinian people to accept nominal recognition of the right of return, was no longer alive, negotiators would have to address the issue and would find it difficult to reach a compromise, given the significant leverage that civil society and Palestinian refugee and exile groups had gained since 1993. As people of conscience everywhere continued in ever greater numbers to vocally oppose the Zionist system of dispossession and discrimination, a Zionist Israel would ultimately give way to a State in which all citizens were treated equally, either alongside a State of Palestine or as part of a single State of Palestine/Israel.

123. *Ms. Hijab (Institute for Palestine Studies) withdrew.*

124. **Mr. Mansour** (Tunisia) said that the proud and courageous Palestinian people had endured 60 years of suffering as the result of flagrant Israeli oppression, which had prevented it from exercising the most basic rights guaranteed by United Nations resolutions. It was incumbent upon the Committee and the international community to work towards putting an end to Palestinian suffering, in order to enable the Palestinian people to live a life of dignity and enjoy its freedoms in an independent and sovereign State. Unfortunately, efforts to resolve the Palestinian-Israeli conflict continued to encounter numerous obstacles, as indicated by figures and statistics that confirmed the need for a just resolution in order to allow the Palestinian people to exercise its inalienable rights. Despite the fact that the resumption of peace talks at the Annapolis summit had revived hopes for a settlement, the occupying Power's imposition of a blockade, with its extensive restrictions and devastating economic and humanitarian consequences, effectively prevented any progress on that score.

125. The international community had united in calling for an immediate end to Israel's clear violations of the fundamental principle of protection for civilians, as stipulated in the Fourth Geneva Convention, which also prohibited the occupier from establishing settlements on occupied land. Indeed, Israeli settlement and blockade policies, along with the refugee question, remained key issues to be addressed by the international community; in that context, the situation of over 4.5 million Palestine refugees living in the Occupied Territory and neighbouring host countries must be borne in mind. Mr. Mansour expressed appreciation for the laudable efforts made by those countries and UNRWA in assisting Palestine refugees.

126. As a matter of principle, Tunisia considered the Palestine question to be of the utmost importance, and his Government continued to extend its support and assistance to the fraternal Palestinian people. The Tunisian President had affirmed his country's position at every regional and international meeting on the Palestine issue and continued to call upon the international community to protect the Palestinian people. A lasting and comprehensive solution to the Palestine question which restored the Palestinian people's legitimate rights and, in particular, the right of return, in accordance with resolutions of international legitimacy, would be the surest guarantee of peace and stability in the region.

127. **Mr. Tagle** (Chile) said that his country maintained its solidarity with the Palestinian people, and that it had recently received Palestine refugees. Having benefited from international solidarity in its own times of crisis, Chile had since developed into a democratic, pluralistic and prosperous society, and as such, it felt compelled to assist other peoples in need. While the harmonious coexistence of a State of Israel and a State of Palestine currently seemed highly improbable, it was important to hold fast to that ideal.

128. **Mr. Mansour** (Observer for Palestine) expressed his gratitude for the widespread support for the Palestinian people expressed at the meeting by representatives of Member States and experts from a wide range of institutions; indeed, it was support the Palestinian people had fully earned, by virtue of its courageous struggle and single-minded commitment to the exercise of its inalienable rights. The remarkable example of the West Bank village of Bil'in, the population of which held weekly demonstrations against the construction of the separation wall, attested

to that spirit of resistance. Such acts of valour reinforced the hope that the Palestinian struggle would ultimately prevail in ending Israeli occupation and bringing about Israeli compliance with international resolutions that would provide the best foundation for a just and comprehensive peace in the Middle East.

129. **Mr. Khair** (Jordan), expressing his appreciation for the new perspectives on the experience of refugees that Ms. Atshan had shared in her presentation, said that he agreed with her ideas on the empowerment of refugees, as well as with Ms. Hijab's approach to the need to empower non-governmental organizations (NGOs) in their refugee advocacy. It would be interesting to know whether either expert had any thoughts on the possibility of establishing partnerships between NGOs and United Nations bodies, particularly UNRWA, to work on empowering refugees, given that both were familiar with the experience of refugees on the ground.

130. **Ms. Hijab** (Institute for Palestine Studies), noting that the United Nations had traditionally held regional and international meetings that brought civil society and its own institutions together, said that she agreed that the different forms that a partnership between the United Nations and civil society might take should be explored further. For instance, civil society actors might directly support the work of various United Nations agencies, as in the case of the United States-based Friends of UNRWA Association.

131. **Ms. Akram** (Faculty of Law, Boston University) said that the considerable efforts made by the Kafr Bir'im and Iqrit villagers over the years, culminating in the petition filed before the United Nations Human Rights Council, had been made possible by the extraordinary partnership between Palestinian, Israeli and international lawyers. The outcome of the case was all the more shocking because the petitioners had appeared to have considerable support within the human rights machinery, only to find later that the petition would be defeated for political reasons; consequently, partnerships between United Nations human rights bodies and civil society would have to be developed in order to enable existing political barriers to be overcome.

132. **Ms. Atshan** (Birzeit University) said that the oppressors' insistence on asserting themselves as the enemy in the minds of Palestinian children would eventually backfire, because their antagonism would ultimately motivate Palestinian children to become ambassadors for their cause. Palestine advocates must be both empowered and empowering if they truly wished to prevail; power was a perception, and those who truly believed in their mission need not fear a Government such as Israel.

Closing remarks by the Chairman of the Committee

133. The Chairman said that despite the international community's neglect of the main victims of the Nakba, namely, the Palestine refugees, their plight continued to weigh heavily on the collective conscience, given the difficulty of reconciling such conditions with the lofty humanitarian ideals to which States Members of the United Nations proclaimed their allegiance. Member States must, therefore, seek a workable and permanent solution in order to end the prolonged suffering of Palestine refugees, and recognize their inalienable right of return, lest the refugee issue become an intractable situation to be managed indefinitely through humanitarian and security efforts. The United Nations maintained the position that no sustainable peace would be achieved in the region without a just solution to the Palestine refugee question in accordance with General Assembly resolution 194 (III). The Committee would continue to raise awareness of the root cause of the Israeli-Palestinian conflict, namely, the occupation by Israel of the Palestinian Territory, which must be brought to an end, pursuant to the relevant Security Council resolutions and the Arab Peace Initiative, leading to the creation of a Palestinian State, with East Jerusalem as its capital, living side by side in peace and security with Israel.